

Justification for other than full and open competition
FAR 6.302-1 – Only One Responsible Source

(1) Identification of the agency and the contracting activity:

Agency

U.S. Environmental Protection Agency (EPA)
Office of Science and Technology
Standards and Health Protection Division (SHPD)
1200 Pennsylvania Avenue, N. W.
Washington, DC 20460

Contracting Activity

Office of Acquisition Management Cincinnati Procurement Operations Division (CPOD)
4411 Montgomery Road, Suite 300
Norwood, OH 45212

(2) Nature and/or description of the action:

This is a sole source action to extend existing contract EP-C-09-019 with Tetra Tech Inc. which currently ends March 31, 2014. EPA requires the extension of the contract entitled, “Technical Support for Assessing, Managing, and Communicating the Ecological and Human Health Risks of Contaminants in Water, Fish and Sediments and Microbial Pathogens in Surface Waters” for the 6-month period, April 1, 2014 through September 30, 2014. Tetra Tech Inc. is the only responsible source able to perform this 6-month effort due to its combination of expertise, knowledge, and familiarity with the ongoing projects required to meet EPA’s critical deadlines during the 6-month period.

(3) Description of the supplies or services required to meet the agency’s needs (including the estimated value):

Under this contract, the contractor provides services to support risk-based analyses; economic and statistical analyses; model development and applications; guidance and report development; compilation and analysis of national and international environmental data; methods development and validation; environmental assessments; field sampling; laboratory analytical services; workshops, conferences, training, and logistical support; expert/peer review support; public outreach and technology transfer; compilation, categorization, and summarization of comments; and preparation of presentation materials.. The 6-month extension is estimated at XXXXXX based on 6,500 Level of Effort (LOE) Hours for a 6-month performance period from April 1, 2014 – September 30, 2014.

(4) An identification of the statutory authority permitting other than full and open competition:

The authority for this action is 41 U.S.C. 253(c), FAR cite 6.302-1 “Only One Responsible Source”

(5) A demonstration that the proposed contractor’s unique qualifications or the nature of the acquisition requires use of the authority cited.

This contract was originally procured using full and open competition procedures. This firm has satisfactorily performed the services for the past five years. The support services performed under this contract are critical to EPA’s mission and any delays or interruptions would be unacceptable and damaging to the U.S. SHPD’s responsibilities under the Clean Water Act of 1987 (CWA) and EPA’s Strategic Plan include directing the national program for adoption of Water Quality Standards, developing prevention and remediation strategies to reduce the risk to human health and aquatic life resulting from contaminated fish and sediment, beach monitoring and advisories relating to microbial pathogens in surface waters, and preparing outreach and awareness materials including developing instructional material and presenting workshops. Contaminants in surface waters, sediments, and fish tissue pose threats to ecological and human health. Microbial pathogens in surface waters also pose threats to human health through bathing beach exposure. The Fish, Shellfish, Beaches, and Outreach Branch

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(FSBOB) is developing methods and guidance for EPA program offices, State agencies, local governments, and nongovernmental organizations to assess, remediate, or otherwise manage, and communicate the risks associated with exposure to these contaminants and microbial pathogens. FSBOB is also conducting studies to assess the national extent and severity of sediments and fish tissue contamination, as well as water-borne pathogens present at bathing beaches. Work performed spans a multitude of diverse topics with 11 work assignments under the current period. Tetra Tech Inc.'s combination of knowledge of the program areas, its support staff, and their familiarity with the ongoing projects, places them in the position of being the only possible contractor which can meet EPA's critical deadlines during the 6-month period from April 1, 2014 – September 30, 2014.

(6) A description of efforts made to ensure that offers are solicited from as many potential sources as is practicable, including whether a notice was or will be publicized as required by [Subpart 5.2](#) and, if not, which exception under [5.202](#) applies.

Notification of EPA's intent to negotiate on a sole source basis with Tetra Tech Inc. for the proposed extension was issued on FedBizOpps on January 30, 2014. No responses were received.

(7) A determination by the contracting officer that the anticipated cost to the Government will be fair and reasonable.

The anticipated cost to the Government is expected to be fair and reasonable because the Project Officer (PO) and technical expert staff has knowledge and expertise in this area, and is well aware of the costs to perform these services. The PO has experience with overseeing this contract effort and can assist to insure that any cost proposal accepted by the Government is fair and reasonable.

(8) A description of the market research conducted (see [Part 10](#)) and the results or a statement of the reason market research was not conducted.

As stated in item 6 above, a notice was placed in FedBizOpps on January 30, 2014. Interested parties were required to submit a capability statement in response which may be considered as a means of fulfilling EPA's requirement. No responses were received.

(9) Any other facts supporting the use of other than full and open competition.

N/A

(10) A listing of the sources, if any, that expressed, in writing, an interest in the acquisition.

None.

(11) A statement of the actions, if any, the agency may take to remove or overcome any barriers to competition before any subsequent acquisition for the supplies or services required.

This Justification for Other than Full and Open Competition is for services that are not currently available from another qualified source due to the reasons stated above. The follow-on acquisition is being procured as full and open competition. To overcome barriers to current acquisition for these services, market research was conducted by posting a sources sought synopsis to FedBizOpps and EPA's Acquisition website on May 7, 2013, for which capability statements were submitted in response to the source sought synopsis. The RFP was issued on January 29, 2014, with a submission date of March 4, 2014. The resultant contract is anticipated to be awarded by July 1, 2014. Due to the timing of the anticipated follow-on contract award and the spring sampling season, a 6-month

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extension has been requested to allow for continuity in services for the critical work assignments and transition time.

(12) Contracting officer certification that the justification is accurate and complete to the best of the contracting officer's knowledge and belief.

Technical Officer's Certification & Concurrence

I certify that the facts and representations stated in this justification are complete and accurate which form the basis to award this requirement.

_____/signed/

Tangela Cooper
Project Officer (Contract Level Contracting Officer's Representative)

Contracting Officer's Certification

I certify that this justification is accurate and complete to the best of my knowledge and belief.

_____/signed/

Noelle Mills
Contracting Officer

Approving Official

One Level Above the Contracting Officer

_____/signed/

Lisa Stultz
Service Center Manager